

MICHAEL O. SCHEINBERG
Patent Attorney

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From: Michael O. Scheinberg
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Date: May 16, 2005
Subject: Petition to Rescind Abandonment
Pages: 7 (*including this cover sheet*)

Application No.: 09/765,806

Art Unit: 2881

Filing Date: January 19, 2001

Examiner: Mary A El Shammaa

Inventor: Robert L. Gerlach et al.

Title: Shaped and Low Density Focused Ion Beams

In connection with the above-identified patent application, applicant submits the following:

1. Petition to Rescind Abandonment(2pp)
2. Issue Fee Transmittal(1pp)
3. Auto-Reply Facsimile Transmission(1pp)
4. PTO-2038 (Credit Card Payment Form)

Michael O. Scheinberg
Reg. No.: 36,919

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Attorney Docket No.: F064

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION No.: 09/765,806

ART UNIT: 2881

FILING DATE: January 19, 2001

EXAMINER: Mary A. El Shammasa

INVENTOR(S): Robert L. Gerlach et al.

TITLE: Shaped and Low Density Focused Ion Beams

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Applicants petition the United States Patent and Trademark Office to withdraw the holding of abandonment for failure to pay issue fee for the above-identified patent application because the fee was timely submitted.

As described in our April 18, 2005 petition, the issue fee and publication fee were authorized to be charged to a credit card on a PTOL-2038, but the issue fee was apparently not charged because of a mix-up with a second issue fee for a different application that was submitted within a few minutes of the payment in question.

An April 25, 2005 Notice of Rescinded Abandonment was sent, and then a May 12, 2005 Notice of Abandonment indicated that the holding of Abandonment was not rescinded, apparently because our April 18, 2005 Petition did not include payment of the Issue Fee. Applicants had

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on May 16, 2005.



Name: Jan Dinnitt

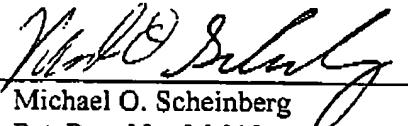
Application No.: 09/765,806
May 16, 2005

believed that the PTO would charge the payment using the original credit card authorization that was submitted with the December 8, 2004 issue fee payment.

Applicants hereby resubmit this Petition to Rescind Abandonment, along with a new Form PTO 2038 Credit Card Charge Authorization. The Commissioner is also authorized to charge any required fees to deposit account 50-1635. A duplicate copy of this authorization is attached.

Respectfully submitted,

Date: 5/16/05

By: 

Michael O. Scheinberg
Pat. Reg. No. 36,919
P.O. Box 164140
Austin, Texas 78716-4140
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12/8/2004 2:21 PM PAGE 1/001 Fax Server
reply fax to 512 306-43 COMPANY: -1

Auto-Reply Facsimile Transmission



TO: Fax Sender at 512 306 1963

Fax Information

Date Received:

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3 (including cover page)

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Received
Cover
Page
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MICHAEL O. SCHEINBERG
11001 ALBANY

December 1, 2001

Fax

Name: Dear Sir or Madam
Organization: United States Patent and Trademark Office
Fax: 1-703-746-4800

From: Michael G. Sphelnberg
PO Box 16140
Austin, TX 78716-1400

Phone: (512) 238-9310
Fax: (512) 306-1963
Date: December 8, 2004
Docket No.: FO64
Pages: 4 Pages (including this cover sheet)

ATTN: DOV/PL/AS/RD
APLICANT: Huber, I. Gerlach
FILING DATE: 01/19/2001
FEE: \$1000.00
AMT UNIT: 26N
EXAMINER: Mary A. I-3 Shumaker

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1. Input For Transliteration (in English)

Michael C. Schindberg
Perm Rev. No. 16-918

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Mailing Address: P.O. Box 161140, Austin, Texas 78716-0410 **Physical Address:** 3425 New Cane Rd., Suite #11, Austin, Texas 78744-0011 **Telephone:** (512) 732-9110 **Fax:** (512) 905-1565 **E-mail:** mschulman@mschulman.com

PART B - FEE(S) TRANSMITTAL

Drop/enclose and send this form, together with the applicable fee(s), to: Mail Stop ISSUE 1, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450
or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "THE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

25764 7590 11/17/2004

MICHAEL O. SCHEINBERG
P.O. BOX 164140
AUSTIN, TX 78716-4140

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Margarita Marquez-Escalona	Depositor's name
	(Signature)
December 8, 2004	Date

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,806	01/19/2001	Robert L. Gerlach	F064	9171

TITLE OF INVENTION: SHAPED AND LOW DENSITY FOCUSED ION BEAMS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1370	\$300	\$1670	02/17/2005
EXAMINER	ART UNIT	CLASS-SUBCLASS			
EL SHAMMAA, MARY A	2883	250-492210			

Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list
(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Michael O. Scheinberg

2 _____

3 _____

ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

FEI Company

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Hillsboro, Oregon

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

The following fee(s) are enclosed:

Issue Fee
 Publication Fee (No small entity discount permitted)
 Advance Order - # of Copies _____

4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-1835 (enclose an extra copy of this form).

Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature *Michael O. Scheinberg*

Date December 8, 2004

Typed or printed name Michael O. Scheinberg

Registration No. 36,919

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and mailing the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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